

08-25-03

RCE/2700



REQUEST FOR CONTINUED EXAMINATION (RCE) Transmittal

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See the American Inventors Protections Act of 1999 (AIPA).

Application Number	09/729,562 ✓
Filing Date	December 4, 2000
First Named Inventor	David Smith
Group Art unit	2643
Examiner Name	B. W. Taylor
Attorney Docket Number	500582.20016

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the Amendment under 37 C.F.R. § 1.116 previously filed on August 4, 2003.
(Any un-entered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed
- iii. ☐ Other:
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Transmittal/Claim Sheet
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other:

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other:

3. Fees

The RCE Fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account 50-1529.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other:
- b. ☒ Checks in the amount of \$750.00 (filing fee) is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed).

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Harry K. Ahn, Esq. Reed Smith LLP (Customer No. 026418) 599 Lexington Avenue, New York, NY 10022-7650	Registration No. (Attorney/Agent)	40,243
Signature		Date	August 22, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as "Express Mail - Label No. **EV304 050 249 US**" in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, Alexandria, VA 22313.

Name (Print/Type)	Ruth Montalvo	Signature		Date	August 22, 2003
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